



MINUTES
of the
TWO HUNDRED NINETY-THIRD MEETING
of the
LEGISLATIVE COUNCIL
May 9, 2005
Santa Fe

The two hundred ninety-third meeting of the Legislative Council was called to order on Monday, May 9, 2005, at 1:25 p.m. in Room 307 of the State Capitol by Speaker Ben Lujan, co-chair.

PRESENT

Senator Ben D. Altamirano, Co-Chair
Representative Ben Lujan, Co-Chair
Senator Joseph A. Fidel
Representative Ted Hobbs
Senator Stuart Ingle
Senator Timothy Z. Jennings
Representative Terry T. Marquardt
Representative W. Ken Martinez
Representative Rick Miera
Senator Leonard Lee Rawson
Senator Michael S. Sanchez
Representative Sheryl Williams Stapleton
Representative Jeannette O. Wallace
Representative Donald L. Whitaker

Special Advisory Members Present

Representative Donald E. Bratton
Senator Carlos R. Cisneros
Senator Dianna J. Duran
Representative Justine Fox-Young
Senator Mary Jane M. Garcia
Representative Irvin Harrison
Representative Patricia A. Lundstrom
Representative James Roger Madalena
Senator Cisco McSorley
Senator William H. Payne
Senator Lidio G. Rainaldi
Representative Debbie A. Rodella
Representative Joe M. Stell
Representative Teresa A. Zanetti

Staff

ABSENT

Senator Pete Campos
Senator Kent L. Cravens

Special Advisory Members Absent

Senator John T.L. Grubestic
Senator Steven P. Neville
Representative Al Park
Senator John Arthur Smith

Paula Tackett, Director, Legislative Council Service
Kathy Pacheco-Dofflemeyer, Assistant Director for Administration
John Yaeger, Assistant Director for Legislative Affairs
Raul Burciaga, Assistant Director for Drafting Services
Jeret Fleetwood, Locator Coordinator

On motion made, seconded and unanimously passed, the minutes of the January 17, 2005 meeting of the Legislative Council were approved as submitted.

INTERIM COMMITTEE APPOINTMENTS

Statutory Committees

The following appointments to statutory committees were announced. The leadership was authorized to make any necessary adjustments to these committee appointments.

Legislative Council: Senator Altamirano and Representative Ben Lujan will serve as co-chairs. Other voting members are Representatives Hobbs, Marquardt, Martinez, Miera, Stapleton, Wallace and Whitaker and Senators Campos, Cravens, Fidel, Ingle, Jennings, Rawson and Michael Sanchez. Special advisory members are Representatives Bratton, Fox-Young, Harrison, Lundstrom, Madalena, Park, Rodella, Stell and Zanetti and Senators Cisneros, Duran, Garcia, Grubestic, McSorley, Neville, Payne, Rainaldi and Smith.

Legislative Education Study Committee: Senator Nava will serve as chair and Representative Miera will serve as vice chair. Other voting members are Representatives Gutierrez, Hamilton, Stewart, Swisstack and Williams and Senators Kernan, Papen and Sharer. Advisory members are Representatives Begaye, Boykin, Cordova, Gonzales, Hall, Heaton, Ruiz, Stapleton, Vigil and Zanetti and Senators Asbill, Boitano, Cisneros, Duran, Garcia, Pinto and Tsosie.

Legislative Finance Committee: Representative Varela will serve as chair and Senator Fidel will serve as vice chair. Other voting members are Representatives King, Moore, Saavedra, Salazar, Townsend, Wallace and Whitaker and Senators Campos, Carraro, Griego, Jennings, Rawson and Smith. Designees are Representatives Fox-Young, Gonzales, Heaton, Larrañaga, Antonio Lujan, Lundstrom, Marquardt, Picraux, Sandoval and Taylor and Senators Adair, Altamirano, Garcia, Harden, Ingle, Leavell, Lopez, McSorley, Papen, Robinson, Bernadette Sanchez, Snyder and Tsosie.

Interim Legislative Ethics Committee: Senator Lopez and Representative Salazar will serve as co-chairs. Other voting members are Representatives Balderas, Hamilton, Martinez, McCoy, Picraux, Townsend and Youngberg and Senators Campos, Ingle, Neville, Ortiz y Pino, Payne, Rawson and Michael Sanchez.

Speaker Lujan explained that a Legislative Committee on Compacts will not be appointed unless it becomes necessary for that committee to meet.

Legislative Health and Human Services Committee: Representative Picraux will serve as chair and Senator Feldman will serve as vice chair. Other voting members are Representatives Boykin, Gardner and Trujillo and Senators Adair, Komadina and Papen. Advisory members are Representatives Beam, Begaye, Cordova, Miguel Garcia, Heaton, Antonio Lujan, Madalena, Marquardt, Miera, Sandoval and Vaughn and Senators Beffort, Harden, Jennings, Kernan, Lopez, Ortiz y Pino and Tsosie.

Mortgage Finance Authority Act Oversight Committee: Senator Rodriguez will serve as chair and Representative Luna will serve as vice chair. Voting members are Representatives Anderson, Ruiz and Zanetti and Senators Boitano, McSorley and Rawson. Advisory members are Representatives Foley, Gonzales and Silva and Senators Griego, Grubestic and Martinez.

New Mexico Finance Authority Oversight Committee: Representative Silva will serve as chair and Senator Papen will serve as vice chair. Other voting members are Representatives Foley, Irwin, Lundstrom, Powdrell-Culbert, Saavedra, Stapleton, Tripp and Vigil and Senators Carraro, Harden, Rainaldi, Robinson, Rodriguez and Snyder. Advisory members are Representatives Campos, Chavez, Crook, Mary Helen Garcia, Gonzales, Ben Lujan, Ruiz, Sandoval, Stell and Varela and Senators Altamirano, Asbill, Campos, Cravens, Duran, Fidel, Garcia, Ingle, Martinez, Neville and Rawson.

Public School Funding Formula Task Force: Representative Stewart will serve as co-chair with one of the public members serving as the other co-chair. Other voting members are Representatives Gonzales and Moore. Advisory members are Representatives Beam, Boykin, Gutierrez, Hall, Marquardt, Miera and Vigil and Senators Altamirano, Boitano, Campos, Kernan, Lopez, Papen and Bernadette Sanchez.

Public School Capital Outlay Oversight Task Force: Voting members are Representatives Larrañaga, Ben Lujan, Miera, Saavedra and Williams and Senators Altamirano, Asbill, Fidel, Leavell and Nava. The other public members, gubernatorial appointments and the member of the Indian Affairs Committee will be appointed later.

Radioactive and Hazardous Materials Committee: Senator Griego will serve as chair and Representative Heaton will serve as vice chair. Other voting members are Representatives Bratton, Herrera, Antonio Lujan, Trujillo and Wallace and Senators Asbill, Grubestic, Kernan, Leavell and Martinez. Advisory members are Representatives Anderson and Wilson and Senators Garcia, Harden, Payne and Pinto.

Revenue Stabilization and Tax Policy Committee: Senator Smith will serve as chair and Representative Whitaker will serve as vice chair. Other voting members are Representatives Arnold-Jones, Crook, Gardner, Gonzales, Hanosh, Ben Lujan, Silva and Taylor and Senators Boitano, Cisneros, Cravens, Fidel, Sharer, Snyder and Taylor. Designees are Representatives

Boykin, Bratton, Harrison, Herrera, Nunez, Payne, Rodella, Saavedra, Stell, Tripp and Varela and Senators Beffort, Griego, Grubestic, Ingle, McSorley, Neville, Rawson, Rodriguez, Ryan and Bernadette Sanchez.

Tobacco Settlement Revenue Oversight Committee: Representative Beam and Senator Garcia will serve as co-chairs. Other voting members are Representatives Picraux and Vaughn and Senators Grubestic and Ryan. Advisory members are Representatives Begaye, Varela and Zanetti and Senators Adair, Carraro, Feldman, Lopez and Taylor.

Welfare Reform Oversight Committee: Senator Lopez will serve as chair and Representative Varela will serve as vice chair. Other voting members are Representatives Cordova, Harrison, Salazar, Vaughn and Wilson and Senators Beffort, Harden, Neville, Ortiz y Pino and Pinto. Advisory members are Representatives Chavez, Cheney, Ezzell, Foley, Larrañaga,, Sandoval and Trujillo and Senators Altamirano, Duran, Ryan and Taylor.

Council-Created Committees

Courts, Corrections and Justice Committee: Representative Cervantes and Senator McSorley will serve as co-chairs. Other voting members are Representatives Anderson, Beam, Park, Wirth and Youngberg and Senators Adair, Leavell, Martinez, Rainaldi, Snyder and Tsosie. Advisory members are Representatives Balderas, Martinez, Payne, Powdrell-Culbert, Stapleton, Stewart and Swisstack and Senators Altamirano, Cravens, Garcia, Grubestic, Harden, Kernan, Ortiz y Pino, Payne, Ryan, Michael Sanchez and Taylor.

Economic and Rural Development and Telecommunications Committee: Senator Bernadette Sanchez will serve as chair and Representative Mary Helen Garcia will serve as vice chair. Other voting members are Representatives Balderas, Campos, Foley, Hamilton, Lundstrom, McCoy and Nunez and Senators Garcia, Harden, Leavell, Martinez, Pinto, Sharer and Tsosie. Advisory members are Representatives Boykin, Chavez, Heaton, Hobbs, Park, Rodella, Ruiz, Salazar and Vigil and Senators Altamirano, Duran, Griego, Ingle, Jennings, Neville, Rainaldi and Ryan.

Election Reform Task Force: Senator Lopez and Representative Sandoval will serve as co-chairs. Other voting members are Representatives Arnold-Jones and Mary Helen Garcia and Senators Duran and Ortiz y Pino. Advisory members are Representatives Cordova, Fox-Young, Hobbs, Ben Lujan, Madalena, Martinez, McCoy and Rodella and Senators Adair, Altamirano, Feldman, Papen and Michael Sanchez.

Indian Affairs Committee: Representative Madalena and Senator Pinto will serve as co-chairs. Other voting members are Representatives Begaye, Harrison, Herrera, Lundstrom, Tripp, Williams and Zanetti and Senators Adair, Duran, Rainaldi, Rodriguez, Ryan and Tsosie. Advisory members are Representatives Ben Lujan, Luna, Rodella, Salazar and Wilson and Senators Altamirano, Carraro, Martinez and Sharer.

Information Technology Oversight Committee: Representative Rodella will serve as chair and Senator Smith will serve as vice chair. Other voting members are Representatives Arnold-Jones, Taylor, Varela and Vigil and Senators Asbill, Lopez, Martinez and Payne. Advisory members are Representatives Cheney, Fox-Young, Hobbs and Wallace and Senators Adair, Boitano, Campos, Cisneros, Griego and Ortiz y Pino.

Land Grant Committee: Representative Miguel Garcia will serve as chair and Senator Bernadette Sanchez will serve as vice chair. Other voting members are Representatives Hall, Herrera, Rodella and Youngberg and Senators Adair, Carraro, Martinez and Tsosie. Advisory members are Representatives Balderas, Fox-Young and Ben Lujan and Senators Cisneros, Griego, Kernan, Ortiz y Pino and Sharer.

Los Alamos National Laboratory Oversight Committee: Representative Gonzales and Senator Griego will serve as co-chairs. Other voting members are Representatives Anderson, Powdrell-Culbert, Rodella and Salazar and Senators Grubescic, Martinez, Payne and Sharer. Advisory members are Representatives Ben Lujan and Wallace and Senators Altamirano, Garcia and Ingle.

State Permanent Fund Task Force: Representative Heaton will serve as chair and Senator Smith will serve as vice chair. Other voting members are Representatives Fox-Young, Larrañaga, Saavedra and Varela and Senators Carraro, Griego and Leavell. Advisory members are Representatives Bratton, Miguel Garcia, McCoy and Stell and Senators Campos, Cisneros, Fidel, Ingle, Rawson and Snyder.

Water and Natural Resources Committee: Senator Cisneros will serve as chair and Representative Stell will serve as vice chair. Other voting members are Representatives Begaye, Cervantes, Irwin, Larrañaga, McCoy, Nunez, Stewart, Townsend and Tripp and Senators Feldman, Garcia, Nava, Neville, Papen and Snyder. Advisory members are Representatives Cheney, Crook, Ezzell, King, Ben Lujan, Madalena, Payne, Picraux, Saavedra, Wirth and Youngberg and Senators Adair, Asbill, Harden, Jennings, Kernan, Rawson, Rodriguez, Ryan and Tsosie.

Subcommittees of the Legislative Council

Lottery Tuition Scholarship Study Subcommittee: Senator Michael Sanchez will serve as Chair and Representative Martinez will serve as vice chair. Other voting members are Representatives Madalena, Marquardt, Miera and Wallace and Senators Ingle, Jennings, Rawson and Smith. Advisory members are Representatives Boykin, Bratton, Harrison, Ben Lujan and Zanetti and Senators Cravens, Fidel and Rainaldi.

Public Employee Benefits Oversight Subcommittee: Voting members are Representatives Hobbs, Ben Lujan and Stapleton and Senators Duran, Grubescic and Rainaldi. Advisory members are Representatives Chavez, Madalena and Zanetti and Senators Beffort, Papen, Rawson and Taylor.

LEGISLATIVE COUNCIL MEETING DATES

The council selected the following meeting dates: June 29, July 29, August 29, September 30, October 31 and December 15 and 16, 2005 and January 16, 2006.

The council also directed staff to develop a meeting dates calendar that attempts to minimize the overlap of meeting dates among the voting members of the large interim committees.

In response to a question from Senator Altamirano, Ms. Tackett indicated that the two December meeting days are set aside to include legislative seminars if the Legislative Council so directs. Senator Altamirano raised the possibility of incorporating some type of seminar on information technology into the December meetings. Staff indicated that they would contact the chief information officer and return to the council with more information.

Speaker Lujan reminded the council that while legislation mandating the Public School Funding Formula Task Force had passed, the funding for it was vetoed by the governor. On a motion made, seconded and unanimously approved, the council directed staff to develop a plan for carrying out the work of the task force.

STAFF REPORTS

Ms. Tackett informed the council that work is already beginning on gathering data for redistricting that will take place in 2010. She reminded the council that the director of the LCS has historically been the liaison between the United States Census Bureau and the state. Staff was directed to send a letter on behalf of the council naming Ms. Tackett as the liaison for redistricting data.

Mr. Yaeger explained to the council that the passage of Senate Bill 839 allows an extra day of per diem for legislators who do not claim per diem for traveling and who travel 100 miles or more to interim committee meetings. The council discussed the importance of attendance at interim committee meetings and various ways of ensuring that members do attend at least half of the meetings for which they receive per diem payments. Speaker Lujan reminded the council that members are expected to attend most, if not all, of the meetings of the committees to which they are assigned. The council also asked that the per diem policy be clarified. On a motion made, seconded and unanimously approved, the council approved the corrected per diem policy.

Ms. Tackett noted that the 2005 session highlights and the listing of approved capital outlay projects were published as separate documents this year. Copies of each were handed out to council members.

Interim committees were authorized to hold a one-day organizational meeting and come back before the council at the June 29 meeting with work plans and budgets. The Indian Affairs Committee was authorized to hold its organizational meeting in Santa Rosa on June 3 to allow members to attend the dedication of the Bosque Redondo Monument.

There being no further business, the council adjourned at 3:10 p.m.

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